



City of Seattle

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Gregory J. Nickels, Mayor  
**Department of Planning and Development**  
D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR OF  
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 2501983  
**Applicant Name:** Eric Hogeboom  
**Address of Proposal:** 2822 Boyer Av. E. (Houseboat #3) (KCA #079)

**SUMMARY OF PROPOSED ACTION**

Master Use Permit for future construction of a 90.1 square foot addition to an existing floating home. (Houseboat #3) (DPD Bldg. I.D. #4) (KCA #079)

This project received an Exemption from the Shoreline Management Act Substantial Development Permit requirement on April 13<sup>th</sup>, 2005.

The following Master Use Permit components are required:

**SEPA - Environmental Determination - (SMC 25.05)**

**SEPA DETERMINATION:**  Exempt  DNS  MDNS  EIS

DNS with conditions

DNS involving non-exempt grading or demolition or,  
involving another agency with jurisdiction.\*

**BACKGROUND DATA**

Existing Conditions

The subject site is located on Portage Bay (Lake Union) in an Urban Residential (UR) shoreline environment. The existing float area for the subject floating home measures approximately 54.8

ft. by 29.1 feet, with a total float area of approximately 1,595 square feet. The existing floating home is 40 ft. 2 inches by 22 ft. 2 inches for a total of 890 sq. ft. of living area. The 90.1 ft. addition will increase the living area to approximately 980.1 sq. ft. The zoning designation of the site is Single Family 5000 (SF 5000). The proposed work would occur on the houseboat itself, which is moored in Portage Bay near Lake Union. The subject floating home moorage is non-conforming with the General Standards set forth for conforming floating home moorages.

### Area Development

The proposal site is part of an existing group of 10 floating home moorages. The subject floating home is the second floating home from the land to the north and is moored in the third slip of the group (Houseboat #3) (DPD Bldg. I.D. #4). There is a vacant slip between the first floating home, adjacent to the land, and the subject floating home. The subject floating home is located on the north side of the dock, within the Seattle Construction limit line. It is bounded to the north, west, south and east sides by other floating homes. Over water development surrounding the subject site in Portage Bay, Lake Union consists of floating home moorages. The subject site and the surrounding area are zoned single-family with a minimum lot size of 5000 sq. ft. (SF5000). Other development in this area consists of water-related residential uses.

### Proposal

The applicant proposes an addition of 90.1 sq. ft. to an existing one story floating home. The project consists of an addition of approximately 45 sq. ft. to increase the floor area of the kitchen located on the west side of the floating home and an addition of approximately 45 sq. ft. to the master bedroom and bathroom on the east side of the floating home. The height of the subject floating home is 15 feet, 6 inches, which is below the maximum height requirement of 18 feet. The proposed additions will not increase outside the boundary of the existing float.

### Public Comment

No comment letters were received during the comment period that ended May 11<sup>th</sup>, 2005. However, Metro generally recommends for floating homes, that to protect the water quality of Lake Union, materials, and construction methods should be used, which prevent toxic materials, petrochemicals, and other pollutants from entering surface water during and after construction. The least toxic wood preservatives that are appropriate for fresh water should be used. Any construction debris floating in the water shall be promptly removed.

### ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated April 13<sup>th</sup>, 2005. The information in the checklist and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SSMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states in part: *"where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation,"* subject to some limitations. Under such limitations/circumstances (SSMC 25.05.665 D1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

#### Bulk and Scale

The total height of the existing one story floating home is 15 feet, 6 inches which is well below the eighteen feet (18 ft.) maximum height allowed from the water surface. There is adequate separation between the floating home and the floating homes to the north, south, and west, so solar access to those sites will not be obstructed. The appearance of bulk of the floating home will be reduced by design elements incorporated into the structure. There are a number of existing floating homes in the vicinity of a similar size and scale as the proposal. For these reasons, the proposed floating home at KCA #079 will not be out of scale with other floating homes in the vicinity, and no adverse impacts are expected related to bulk and scale.

#### Plants and Animals

No disturbance of the lake-bed sediments is expected since all work will be done above water and there will be no increase in overwater coverage. There is potential for debris to enter the water during construction, so conditions that ensure that debris or toxic material does not enter the water will be part of the decision. In conjunction with the authority authorized in SMC 25.05.675 B Construction Impacts, the general recommendations from Metro shall also be followed as conditioned below.

### **DECISION - SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(c).
- [ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(c).

### **SEPA CONDITIONS**

The following conditions to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be

posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

The owner(s) and/or responsible party(s) shall:

Prior to Issuance of a Construction Permit

1. Best Management Practices shall be developed for the proposed over-water work as necessary to keep debris and deleterious material out of the water. The building permit plans shall include a depiction and written description of the BMPS that will be used during the proposed work.
2. Prior to commencing construction, an emergency containment plan and procedures shall be developed for all toxic material that will be kept on site. All necessary equipment for containment and clean-up of this toxic material should be stocked on the site. A sufficient number of personnel, both during construction and during on-going operations, shall be trained in the proper implementation of this plan.

During Construction

3. In order to further mitigate the noise impacts during demolition and construction, the owner(s) and/or responsible party(s) shall limit the hours of demolition and construction to non-holiday weekdays between 7:30 a.m. and 6:00 p.m. This condition may be modified by the Department to permit work of an emergency nature or to allow low noise interior work after the shells of the structure are enclosed. This condition may also be modified to permit low noise exterior work after approval from the Land Use Planner.
4. Equipment for the transportation, storage, handling and application of oil, chemicals, or other hazardous materials shall be maintained in a safe and leak-proof condition to prevent release of this material into the water.
5. Equipment using oil, gasoline, or diesel used on site shall be checked for evidence of leakage, if evidence of leakage is found the further use of such equipment shall be suspended until the deficiency has been satisfactorily corrected.
6. No treated wood shall be used in any decking material.
7. If treated wood is proposed for other structures, this wood shall be professionally treated and completely cured using the best management practices developed by the Western Wood Preservers Institute (<http://www.wwpinstitute.org/>) before this wood is used for this project.
8. The owner(s), builder(s), or responsible party(s) shall follow the BMPs developed to prevent debris and other deleterious material from entering the water during demolition and construction.

- a. If floating debris enters the water during the proposed work this debris shall be removed immediately and stored until it can be disposed of at an appropriate upland facility.
- b. If heavy (sinking) debris enters the water during the proposed work the location of the debris shall be documented. When construction is complete a diver should retrieve all debris that has entered the water and sunk during the proposed work.

For the Life of the Project

9. Standard best management practices (BMPs) (such as using secondary receptacle containers when handling toxic material so that any spilled material is contained in the second receptacle rather than entering the water and using toxic material so that none of this material enters the water) shall be used to ensure that no petroleum products, other toxic substances, including household chemicals, herbicides pesticides, chemical fertilizers, miscellaneous debris and/or other deleterious materials are allowed to enter or leach into the water.

Signature: \_\_\_\_\_ (signature on file) Date: July 21, 2005  
Joan S. Carson, Land Use Planner II

JC:bg

Carson/floating home/SepaOnly2501983.dec